

105TH CONGRESS
1ST SESSION

H. R. 2904

To make an exception to the United States embargo on trade with Cuba for the export of medicines or medical supplies, instruments, or equipment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1997

Mr. NADLER introduced the following bill; which was referred to the
Committee on International Relations

A BILL

To make an exception to the United States embargo on trade with Cuba for the export of medicines or medical supplies, instruments, or equipment, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENT TO EMBARGO AUTHORITY IN THE**
4 **FOREIGN ASSISTANCE ACT OF 1961.**

5 Section 620(a)(1) of the Foreign Assistance Act of
6 1961 (22 U.S.C. 2370(a)(1)) is amended by inserting be-
7 fore the period at the end of the second sentence the fol-
8 lowing: “, except that any such embargo shall not apply

1 with respect to the export of any medicines or medical sup-
2 plies, instruments and equipment”.

3 **SEC. 2. LIMITATION ON EXISTING RESTRICTIONS ON**
4 **TRADE WITH CUBA.**

5 Upon the enactment of this Act, any regulation, proc-
6 lamation, or provision of law, including Presidential Proc-
7 lamation 3447 of February 3, 1962, the Export Adminis-
8 tration Regulations (15 CFR 368–399), and the Cuban
9 Assets Control Regulations (31 CFR 515), that prohibits
10 exports to Cuba or transactions involving exports to Cuba
11 and that is in effect on the date of the enactment of this
12 Act, shall not apply with respect to the export to Cuba
13 of medicines or medical supplies, instruments, or equip-
14 ment.

15 **SEC. 3. LIMITATION ON THE FUTURE EXERCISE OF**
16 **AUTHORITY.**

17 (a) EXPORT ADMINISTRATION ACT OF 1979.—After
18 the enactment of this Act, the President may not exercise
19 the authorities contained in the Export Administration
20 Act of 1979 to restrict the exportation to Cuba of medi-
21 cines or medical supplies, instruments, or equipment, ex-
22 cept to the extent such restrictions would be permitted
23 under section 5 of that Act for goods containing parts or
24 components subject to export controls under such section.

1 (b) INTERNATIONAL EMERGENCY ECONOMIC POW-
2 ERS ACT.—After the enactment of this Act, the President
3 may not exercise the authorities contained in section 203
4 of the International Emergency Economic Powers Act to
5 restrict the export to Cuba of medicines or medical sup-
6 plies, instruments, or equipment, to the extent such au-
7 thorities are exercised to deal with a threat to the foreign
8 policy or economy of the United States.

9 **SEC. 4. CONFORMING AMENDMENTS.**

10 Section 1705 of the Cuban Democracy Act of 1992
11 (22 U.S.C. 6004) is amended—

12 (1) by amending subsection (c)(1) to read as
13 follows:

14 “(1) except to the extent such restrictions—

15 “(A) would be permitted under section 5 of
16 the Export Administration Act of 1979 for
17 goods containing parts or components subject
18 to export controls under such section; or

19 “(B) are imposed under section 203 of the
20 International Emergency Economic Powers Act
21 to deal with a threat to the national security of
22 the United States;” and

1 (2) by striking subsection (d) and redesignating
2 subsections (e), (f), and (g) as subsections (d), (e),
3 and (f), respectively.

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